

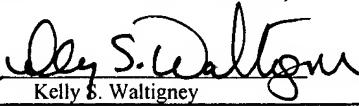


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LEE et al. Examiner: Unassigned  
Serial No.: 10/824,941 Group Art Unit: 3736  
Filed: April 15, 2004 Docket No.: GUID.105PA  
(02-115)

Title: SYSTEM AND METHOD FOR CHARACTERIZING  
PATIENT RESPIRATION

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this communication is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on Feb 11, 2005.

By:   
Kelly S. Waltigney

**COMMUNICATION TO BRING TO EXAMINER'S ATTENTION  
A CO-PENDING APPLICATION UNDER MPEP 2001.06(b)**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Group 3736 Examining Division:

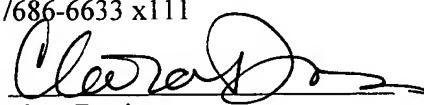
With regard to the above-identified patent application awaiting a first official communication from the Examining Division:

Applicant brings to the Examiner's attention commonly owned, co-pending U.S. Application 10/269,611 filed October 11, 2002; 10/309,770 filed December 4, 2002 (GUID.054PA); 10/309,771 filed December 4, 2002 (GUID.064PA); 10/643,006 filed August 18, 2003 (GUID.060PA); 10/642,998 filed August 18, 2003 (GUID.058PA); 10/643,016 filed August 18, 2003 (GUID.088PA); and 10/920,675 filed August 27, 2004 (GUID.106PA) which may be of interest.

This communication is filed pursuant to the provisions of M.P.E.P. 2001.06(b).

Respectfully submitted,

Crawford Maunu PLLC  
1270 Northland Drive  
Suite 390  
St. Paul, MN 55120  
651/686-6633 x111

By:   
Clara Davis  
Reg. No. 50,495

Date: 2/11, 2005



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LEE et al. Examiner: Unassigned  
Serial No.: 10/824,941 Group Art Unit: 3736  
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Title: SYSTEM AND METHOD FOR CHARACTERIZING  
PATIENT RESPIRATION

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to:, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on Feb 11, 2005.

By: Kelly S. Waltigney  
Kelly S. Waltigney

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Forms 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted either within three months of the filing date or before the first Office Action of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Forms 1449.

In accordance with 37 C.F.R. §1.98(a)(2), and the 05 August 2003 Official Gazette Notice, only a copy of each foreign document or non-U.S. patent/application listed on the enclosed Forms 1449 is provided.

Please note that any notations or markings on the attached documents do not reflect particular relevance, or lack thereof, to the present application, nor were they necessarily made by anyone affiliated with the prosecution of the present application.

App. Serial No. 10/824,941  
Docket No. GUID.105PA  
Supplemental Information Disclosure Statement

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

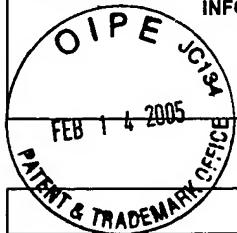
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Forms 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

Crawford Maunu PLLC  
1270 Northland Drive  
Suite 390  
St. Paul, MN 55120  
651/686-6633

Dated: 2/11, 2005

By:   
Clara Davis  
Reg. No. 50,495

<b>FORM 1449*</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: GUID.105PA (02-115)	Application Number: 10/824,941
	Applicant: Lee et al.	
	Filing Date: April 15, 2004	Group Art Unit: 3736

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,365,636	12/28/1982	Barker			
	4,827,935	5/9/1989	Geddes et al.			
	4,928,688	5/29/1990	Mower			
	5,105,354	4/14/1992	Nishimura			
	5,146,918	9/15/1992	Kallok et al.			
	5,178,156	1/12/1993	Takishima et al..			
	5,187,657	2/16/1993	Forbes			
	5,233,983	8/10/1993	Markowitz			
	5,301,677	4/12/1994	Hsung			
	5,334,222	8/2/1994	Salo et al.			
	5,335,657	8/9/1994	Terry, Jr. et al.			
	5,485,851	1/23/1996	Erickson			
	5,545,186	8/13/1996	Olson et al.			
	5,738,102	4/14/1998	Lemelson			
	5,814,087	9/29/1998	Renirie			
	5,855,593	1/5/1999	Olson et al.			
	5,871,011	1/19/1999	Stoop			
	5,944,680	8/31/1999	Christopherson et al.			
	5,964,778	10/12/1999	Fugoso et al.			
	5,974,340	10/26/1999	Kadhiresan			
	6,026,320	2/15/2000	Carlson et al.			
	6,064,910	5/16/2000	Andersson et al.			
	6,076,015	6/13/2000	Hartley et al.			
	6,091,973	7/18/2000	Colla et al.			
	6,120,441	9/19/2000	Griebel			
	6,126,611	10/3/2000	Bourgeois et al.			
	6,128,534	10/3/2000	Park et al.			
	6,132,384	10/17/2000	Christopherson et al.			
	6,141,581	10/31/2000	Olson et al.			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> <small>(Use several sheets if necessary)</small>			Docket Number: GUID.105PA (02-115)	Application Number: 10/824,941
			Applicant: Lee et al.	
			Filing Date: April 15, 2004	Group Art Unit: 3736

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,259,947	7/10/2001	Olson et al.			
	6,272,377	8/7/2001	Sweeney et al.			
	6,277,072	8/21/2001	Bardy			
	6,285,907	9/4/2001	Kramer et al.			
	6,351,669	2/26/2002	Harley et al.			
	6,353,759	3/5/2002	Harley et al.			
	6,363,270	3/26/2002	Colla et al.			
	6,371,922	4/16/2002	Baumann et al.			
	6,411,848	6/25/2002	Kramer et al.			
	6,424,865	7/23/2002	Ding			
	6,438,410	8/20/2002	Hsu et al.			
	6,449,503	9/10/2002	Hsu			
	6,459,929	10/1/2002	Hopper et al.			
	6,480,733	11/12/2002	Turcott			
	6,487,443	11/26/2002	Olson et al.			
	6,542,775	4/1/2003	Ding et al.			
	6,574,507	6/3/2003	Bonnet			
	6,589,188	7/8/2003	STREET et al.			
	6,597,951	7/22/2003	Kramer et al.			
	6,641,542	11/4/2003	Cho et al.			
	6,773,404	08/10/2004	Poezevera et al.			
	2002/0193839	12/19/2002	Cho et al.			
	2003/0055461	3/20/2003	Girouard et al.			
	2003/0153953	8/14/2003	Park et al.			
	2003/0153954	8/14/2003	Park et al.			
	2003/0153955	8/14/2003	Park et al.			
	2003/0153956	8/14/2003	Park et al.			
	2003/0163059	8/28/2003	Poezevera et al.			
	2003/0195571	10/16/2003	Burnes et al.			

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<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2003/0199945	10/23/2003	Ciulla			
	2003/0204213	10/30/2003	Jensen et al.			
	2004/0002742	1/1/2004	Florio			
	2004/0088027	5/6/2004	Burnes et al.			
	2004/0102814	5/27/2004	Sorensen et al.			
	2004/0138719	7/15/2004	Cho et al.			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NO. EP 0 940 155 A	DATE 8/9/1999	COUNTRY EPO	CLASS	SUBCLASS	TRANSLATION
	EP 1 151 718 A	7/11/2001	EPO			
	WO 00/01438 A	13/01/2000	WIPO			
	WO 00/17615	30/03/2000	WIPO			

**(✓ attached) (OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	✓	Olusola et al., <i>Nightcap: Laboratory and home-based evaluation of a portable sleep monitor</i> , 32 Psychophysiology, 32-98 (1995). Abstract only.
		Verrier et al., <i>Sleep, dreams, and sudden death: the case for sleep as an autonomic stress test for the heart</i> , 31 Cardiovascular Research 181-211 (1996).
		Verrier et al., <i>Sleep Related Cardiovascular Risk: New Home-Based Monitoring Technology for Improved Diagnosis and Therapy</i> , 2 A.N.E. 158-175 (1997).
	✓	Waldemark et al., <i>Detection of Apnea using Short Window FFT Technique and Artificial Neural Network</i> , 3390 SPIE International Society for Optical Engineering 122-133 (1998). (partial article)

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